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SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF NEW YORK

Index No. 603491/08

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ALM UNLIMITED, INC., as

successor-in-interest to

ALM INTERNATIONAL CORP.,

Plaintiff,

- against -

DONALD J. TRUMP,

Defendant.

-----x

June 15, 2011  
10:06 a.m.

Examination Before Trial of

DONALD JOHN TRUMP, taken by the

Plaintiffs, pursuant to Notice, held at

Trump Tower, 725 Fifth Avenue, New

York, New York, before Tammy O'Berg, a

Shorthand Reporter and Notary Public of

the State of New York.

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A P P E A R A N C E S :

ITKOWITZ & HARWOOD  
Attorneys for Plaintiff  
305 Broadway  
7th Floor  
New York, New York 10007

BY: JAY B. ITKOWITZ, ESQ.  
and  
JOANNE McNAMARA, ESQ.

BELKIN, BURDEN, WENIG &  
GOLDMAN, LLP  
Attorneys for Defendant  
270 Madison Avenue  
New York, New York 10016  
BY: JEFFREY L. GOLDMAN, ESQ.

ALSO PRESENT:

MARCUS HAGER  
ALAN G. GARTEN,  
Assistant General Counsel  
The Trump Organization  
725 Fifth Avenue  
New York, New York 10022

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S T I P U L A T I O N S

IT IS HEREBY STIPULATED, by  
and between the attorneys for the  
respective parties hereto, that:  
All rights provided by the C.P.L.R.,  
and Part 221 of the Uniform Rules for  
the Conduct of Depositions, including  
the right to object to any question,  
except as to the form, or to move to  
strike any testimony at this  
examination is reserved; and in  
addition, the failure to object to any  
question or to move to strike any  
testimony at this examination shall not  
be a bar or waiver to make such motion  
at, and is reserved to, the trial of  
this action.

This deposition may be sworn  
to by the witness being examined before  
a Notary Public other than the Notary  
Public before whom this examination was  
begun, but the failure to do so or to  
return the original of this deposition  
to counsel, shall not be deemed a

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waiver of the rights provided by Rule  
3116 of the C.P.L.R., and shall be  
controlled thereby.

The filing of the original of this  
deposition is waived.

IT IS FURTHER STIPULATED,  
that a copy of this examination shall  
be furnished to the attorney for the  
witness being examined without charge.

\* \* \*

1

2 DONALD JOHN TRUMP,  
3 having first been duly sworn by a  
4 Notary Public of the State of New York,  
5 was examined and testified as follows:

6 EXAMINATION BY

7 MR. ITKOWITZ:

8 Q. Please state your name for  
9 the record.

10 A. Donald John Trump.

11 Q. Where do you reside?

12 A. 725 Fifth Avenue, New York,  
13 New York 10022.

14 Q. Good morning, Mr. Trump, my  
15 name is Jay Itkowitz. I'm an attorney  
16 for the plaintiff. I'm going to be  
17 asking you some questions today.

18 A. Okay.

19 Q. Before we get going, if at  
20 any point during the examination I ask  
21 you a question you don't understand,  
22 please don't answer it. Tell me you  
23 don't understand it and I will restate  
24 the question.

25 A. Okay.

1

2 Q. If you don't say that, we  
3 assume that you understand the  
4 question.

5 Is that acceptable to you?

6 A. Fine.

7 Q. How many times have you been  
8 deposed?

9 A. I have no idea. Numerous  
10 times.

11 Q. More than 50?

12 A. Perhaps.

13 Q. Did you look at any documents  
14 today or at any time prior to this  
15 deposition in preparation for this  
16 deposition?

17 A. No.

18 Q. How many people do you  
19 employ?

20 A. Thousands. I don't know the  
21 exact number but thousands.

22 Q. For the Trump Organization,  
23 in terms of licensing, how long have  
24 you been licensing your name?

25 A. Probably 10 years or so.

1

2 Q. How did it come about that  
3 you started licensing your name?

4

A. Well, it started with  
5 buildings and then it went over to many  
6 other products.

7

Q. How did that process happen?

8

A. Well, I think it really  
9 happened with regard to products  
10 outside of real estate, when The  
11 Apprentice became a big television  
12 success.

13

Q. Was this your idea or an idea  
14 that somebody brought to you?

15

A. It was my idea.

16

Q. When you first had this idea,  
17 how did you go about implementing the  
18 idea?

19

A. It just sort of naturally  
20 came about. People would call the  
21 office, wanting to know if they could  
22 use the Trump name, and it very much  
23 came naturally.

24

Q. What was the first item that  
25 you licensed?

1

2 A. I don't know.

3 Q. No idea?

4 A. No, I don't know.

5 Q. Do you have a record as to

6 what would indicate --

7 A. Perhaps Cathy Glosser would  
8 have some record of the initial deals.9 Q. Was Cathy Glosser employed by  
10 you at the time of your initial  
11 licensing deals?

12 A. No, I don't believe so.

13 Q. In terms of recordkeeping, in  
14 terms of your -- the way you personally  
15 keep records, can you describe to me  
16 how you keep records, if at all?17 MR. GOLDMAN: Object to the  
18 form, but you can answer it.19 A. Which records are you talking  
20 about? I have many different records  
21 of many --22 Q. Well, you say you have  
23 thousands of employees.

24 A. Right.

25 Q. Do you have a secretary?



1

2 A. Yes.

3 Q. What is your secretary's

4 name?

5 A. Rhona (phonetic).

6 Q. what's her full name?

7 A. Rhona Graff (phonetic).

8 Q. How long has she been your

9 secretary?

10 A. 20 years.

11 Q. And a man like yourself has

12 appointments on a regular basis?

13 A. Yes.

14 Q. How do you keep track of your

15 appointments?

16 A. Rhona keeps track of them.

17 Q. Do you use any kind of

18 calendar, personal calendar?

19 A. Yes, I do.

20 Q. What kind of calendaring

21 system --

22 A. Very standard calendar that's

23 in front of me, so I know where my

24 appointments are.

25 Q. Do you save your calendars?

1

2 A. No, we don't.

3 Q. So just in the regular course  
4 of business, tell me how you handle  
5 your calendar, in terms of maintaining  
6 it.

7 A. An appointment is made, it's  
8 written down in my calendar, I have the  
9 appointment. At the end of the year I  
10 get a new calendar. The old ones I  
11 think are generally disposed of.

12 Q. Tell me about your personal  
13 procedures with respect to e-mail, if  
14 any. Do you have an e-mail address?

15 A. I don't know if I have one.  
16 I don't use e-mail.

17 Q. So you don't use a  
18 BlackBerry?

19 A. I don't use a BlackBerry.

20 Q. You don't use a Smartphone?

21 A. No, I don't.

22 Q. When you want to communicate  
23 with somebody in writing, how do you  
24 communicate with them?

25 A. It's called writing.

1

2 Q. You write by hand?

3 A. Sometimes, or sometimes I'll  
4 dictate it to a secretary.

5 Q. When you dictate it, do you  
6 dictate it to be sent by e-mail --

7 A. Sometimes. The women -- the  
8 people in the office have e-mail, so  
9 sometimes I'll do that, but generally  
10 I'll write letters and send them  
11 through the mail.

12 Q. Do people communicate with  
13 your office via sending your office  
14 e-mail?

15 A. Sometimes, yes.

16 Q. So somebody wants to send an  
17 e-mail to you, do they send an e-mail  
18 to your secretary?

19 A. Usually it will be sent to  
20 the secretaries. I have more than one  
21 secretary.

22 Q. Who else do you have as a  
23 secretary?

24 A. Well, right now I have Twee  
25 (phonetic) and I have Randy and I have

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Rhona. I have three secretaries.

Q. How long have you had those particular three?

A. Couple of years -- well, the two -- two would be a couple of years, the other two.

Q. You mentioned the name Cathy Glosser.

A. Right.

Q. How did you come to be acquainted with Cathy Glosser?

A. I heard good things about her and I hired her.

Q. Who did you hear good things from?

A. I don't remember. It's a long time ago.

Q. What did you hire her to do?

A. Licensing.

Q. What is her title?

A. I don't know her exact title.

Q. When you say "licensing," what does that mean? What is her job, as far as you understand?

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2           A.     That means the licensing of  
3 various products outside of real  
4 estate.

5           Q.     Do you have any idea as to  
6 how she goes about her job?

7           A.     No.

8           Q.     How do you evaluate her  
9 performance?

10          A.     At the end of the year I'll  
11 look and see how well we're doing.

12          Q.     By what standard do you use  
13 to determine how well you're doing?

14          A.     Well, I think I have a good  
15 understanding -- I deal with people  
16 that -- that understand our products  
17 and they think we do a very good job in  
18 terms of products licensing; and it's  
19 turned out to be a good business.

20          Q.     Do you have any idea as to  
21 how many products are licensed under  
22 your name at this point?

23          A.     Cathy Glosser could tell you  
24 the exact number.

25          Q.     But I'm asking you.

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A. I don't know the exact number.

Q. No clue?

MR. GOLDMAN: Object to the form of the question.

A. I have a clue but it's very -- maybe 20 or 25 or something. I have a clue, but you already talked to her, so I'm sure she gave you the exact number.

Q. In terms of apparel licensing, are you aware of whether you currently have any apparel licenses?

A. Yes.

Q. What apparel licenses, if any, do you continue to maintain?

A. Shirts, ties, and I think those are the primary ones.

Q. Did there come a time when you had suits also licensed?

A. Yes, suits, also. We still have suits licensed.

Q. With which company?

A. I don't know the name of the

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company.

Q. You used to have a contract with Marcraft on that?

A. Yes.

Q. Do you have any recollection as to how that license was obtained?

A. I do not. I believe it was through Bo Dietl. He was very friendly with the people at Marcraft, and he introduced us to Marcraft. Had nothing to do with this gentleman here at all.

Q. In terms of Bo Dietl, do you maintain a relationship with him?

A. No, he was an acquaintance. I believe he called and he said that he had the people -- Marcraft wanted to do suits. That was for the suits.

Q. So he called you. Did you know him?

A. Yes. Security person.

Q. Pardon me?

A. He's in the security business.

Q. How did you come to know him

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-- to become acquainted with him?

A. I have no idea. He's in the security business.

Q. So you have no idea how long you've known him?

A. 25 years.

Q. Is he an acquaintance, a friend?

A. He is somebody that has done work for us in the security business.

Q. When he's done work for you, does he have a personal relationship with you? When he wants --

A. It's a professional relationship.

Q. But what I mean, if he calls your secretary and says, I want to speak to Mr. Trump, would it be uncommon for you to pick up the phone?

MR. GOLDMAN: Object to the form.

A. I pick up the phone when many people call. If you call me up, I'd probably pick up the phone, too.



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THE WITNESS: Why's this guy  
keep doing that?

MR. GOLDMAN: Trying to help  
his attorney.

THE WITNESS: Not supposed to  
be doing it.

Q. So you stated Cathy Glosser  
was hired by you. Did you interview  
her before she got hired?

A. Yes.

Q. Do you recall when you hired  
her?

A. No.

Q. Did George Ross recommended  
that you hire her?

A. I don't know that he was  
involved.

Q. At the time that she was  
hired till now, have her  
responsibilities changed at all?

A. Not too much, no.

Q. When you say "not too  
much" --

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A. Not too much. That's what I said.

Q. I understand that. But not too much indicates --

A. She does the same licensing work that she's been doing from the beginning.

Q. In terms of her authority, though, what is her authority to act on your behalf?

A. Similar to what it's been.

Q. So describe what her authority is.

A. She'll meet with people, she'll listen to what they have in terms of a product, she'll make a recommendation. She will -- she will make a recommendation one way or the other. We might sign up a licensing deal, we might not, depending on the product.

Q. Does she negotiate deals on your behalf?

A. Yes.

1

2 Q. Does she have the authority  
3 to make a deal --

4 MR. GOLDMAN: Objection to  
5 the form.

6 A. I would say subject to my  
7 approval.

8 Q. Subject to your approval?

9 A. Yeah.

10 Q. How does she obtain your  
11 approval?

12 A. She'll come in and see me.

13 Q. If she comes in and sees you  
14 and you -- she recommends something and  
15 you say yes, then she goes ahead and  
16 makes the deal; is that correct?

17 A. Yeah.

18 Q. If you give her authority to  
19 make a deal, do you, in the ordinary  
20 course of business, write something to  
21 her or do you --

22 A. No --

23 Q. It's a verbal interaction  
24 between you and her -- is that  
25 sufficient?

1

2 A. More verbal.

3 Q. What about your relationship

4 with George Ross. How long have you

5 had a relationship with George Ross?

6 A. Many years. He's an

7 attorney. He's still an attorney for

8 me. I've known George for 35 or 40

9 years.

10 Q. Has he worked for you for 35

11 to 40 years as an attorney?

12 A. As an attorney, yes.

13 Q. How did it come about that

14 you made his acquaintance?

15 A. He was an attorney at a law

16 firm called Dreyer &amp; Traub. He was my

17 attorney when I bought the Trump Tower

18 site, this site.

19 Q. Let's say since the year --

20 since he left Dreyer &amp; Traub, do you

21 know if you're his prime client?

22 A. No, he's had various other

23 the jobs. He was with Edward S. Gordon

24 for a long period of time. He's been

25 with me, I don't now exactly how long,

1  
2 maybe 12 or 15 years here, but I've --  
3 you asked me did I know him. I've  
4 known him for a long time. But he's  
5 with me, I don't know exactly the  
6 number of years but for quite some  
7 time.

8 Q. For the 12 to 15 years that  
9 he's been here --

10 A. Right.

11 Q. -- he's had an office?

12 A. Yes.

13 Q. And you've given him an  
14 office?

15 A. Yes.

16 Q. What is the arrangement  
17 between you and him in terms of the  
18 office?

19 A. He works for me as an  
20 attorney.

21 Q. Works for you full time or  
22 part time?

23 A. Well, he's here a lot. I  
24 mean he's here four or five days a  
25 week.

1

2 Q. During those four to five  
3 days a week, he's primarily working for  
4 you?

5 A. That's right.

6 Q. Now, what role, if any, did  
7 George Ross have in terms of any  
8 licensing deals that you know of?

9 A. Generally speaking, he does  
10 real estate deals, but sometimes he'll  
11 be involved in a licensing contract.

12 Q. What licensing contracts can  
13 you recall him ever being involved with  
14 that were not real estate?

15 A. Well, this one, which  
16 obviously didn't work out, but this  
17 one, the one that we're litigating over  
18 right now, that was George's  
19 involvement.

20 Q. What was the nature of his  
21 involvement, as far as you know?

22 A. He was a lawyer.

23 Q. As a lawyer, does he render  
24 business advice to you?

25 A. On occasion.

1

2 Q. So, in other words, what I'm  
3 trying to understand, as we sit here  
4 now, did he fulfill a business role in  
5 terms of the PVH contract?

6

MR. GOLDMAN: Object to the

7

form.

8

A. Which PVH contract are you  
9 talking about?

10

Q. The first PVH contract, you  
11 know --

12

A. You have to ask George Ross  
13 that question.

14

Q. But I'm asking you.

15

A. I don't know. It's so many  
16 years ago. It's a long time ago --

17

Q. So you don't have a  
18 recollection?

19

A. No, I don't. You have to ask  
20 George Ross. He was in charge of the  
21 deal.

22

Q. What does that mean when you  
23 say, "He was in charge of the deal"?

24

A. He was in charge, he did the  
25 contract, he negotiated the deal. It

1

2 turned out that, as he said, the deal  
3 was not completed, but George Ross was  
4 in charge of this transaction.

5 Q. When you say "as he said the  
6 deal was not completed," what does that  
7 mean?

8 A. Well, that's what he told me,  
9 that the deal was not completed. And I  
10 was surprised, frankly, that somebody  
11 was claiming that the deal was  
12 completed, because I was of the  
13 impression that the deal was not able  
14 to be completed.

15 Q. When was the last time you  
16 talked to him about this deal?

17 A. Couple of weeks ago.

18 Q. How did it come about that  
19 you were talking to him about it?

20 A. Well, I asked him about how  
21 is the trial going or how is the case  
22 going, and he told me.

23 Q. When he was talking to you  
24 about it, was he talking to you in his  
25 function as an attorney or as a



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business advisor?

A. I would say as an attorney.

Q. When he told you whatever -- that the deal wasn't completed, did he tell you that he had testified that the deal wasn't completed?

A. I don't think we discussed his testimony. I was talking generalities, but he is of the -- I thought he was of the opinion, and I don't know what he testified to, but I thought he was of the opinion that this was not a deal that was completed.

Q. When you say the deal was not completed, was the deal with PVH completed?

A. The deal with PVH was completed, yes.

Q. Since that first contract with PVH, it's been renewed and remains in effect, correct?

A. I don't know if that's true. You have to ask the attorneys about that, but I would say that it doesn't

1

2 remain in effect, no, and I would say  
3 that -- I would say that George's  
4 testimony stands, whatever he said,  
5 because he was in charge of the deal.

6

Q. So whatever George said, you  
7 stand by?

8

A. Well, I would say this: I  
9 don't feel that these people did very  
10 much, if anything, with respect to this  
11 deal. We didn't have -- as far as I  
12 know, we didn't have a deal with them,  
13 and we thought we were going to have a  
14 deal. The deal -- we were unable to  
15 make a deal, and then we stopped paying  
16 them. And we were paying them for a  
17 period of time, but we -- we were never  
18 able to consummate the deal with them  
19 and, therefore, we stopped paying them.

20

Q. Let's walk that back a little  
21 bit.

22

A. Go ahead.

23

MR. ITKOWITZ: Let's have

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Exhibit 1.

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Q. I show you what's been marked

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as Exhibit 1 for your review.

(Witness perusing document.)

Q. Are you familiar with this document?

A. I've seen it before.

Q. Take a moment.

A. What is the date of this document? September -- I've seen this document.

Q. When was the last time you looked at this document?

A. A long time ago.

Q. In preparation for this litigation, you haven't looked at any of these documents?

A. No.

Q. You haven't read any of the deposition testimony?

A. I have not.

Q. Can you take a look at the last page of the document?

MR. GOLDMAN: You mean the signature page?

A. Signature page? Yes, that's

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my signature.

Q. How did it come about that this document was executed by you, to the best of your recollection?

A. I don't know. It's been so many years. I don't know.

Q. When you say you don't know, you have no -- not even a vague understanding of how you came to sign this contract, as you sit here now?

MR. GOLDMAN: Object to the form of the question.

A. This deal was worked either through George; or if Cathy was here, somebody. I have many, many deals. I do many, many deals.

They brought it to me. I'll sign them based on their abilities, and this is one of those deals. I wasn't involved in this other than the signature. I wasn't involved in this.

Q. Let's talk about your procedure as a businessman.

Somebody brings you a

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contract. They want you to sign it.

How does that procedure --

MR. GOLDMAN: Objection. Who

is the "somebody" --

Q. Anybody who works for you.

Somebody brings you a contract, it's a

contract --

A. Right.

Q. -- and they say, Mr. Trump,  
here's this contract, I would like you  
to sign it.

What is your practice and  
procedure for deciding whether to sign  
the contract?

A. Depends on who brings me the  
contract, but we do many deals, many  
transactions. Depending on the person  
that brings me the contract. We have  
lawyers that work on deals, whether  
it's George or somebody else. They'll  
tell me about the deal, they'll  
describe the deal, and if I like it,  
I'll sign it.

Q. So given the fact that you

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signed this deal, this particular contract at the time, we can understand on the date that you signed this contract, you thought this was a good contract?

A. Well, it was a contract. It was brought to my --

Q. And you approved it?

A. Yes, I did.

Q. And you signed it?

A. Yes, I did.

Q. Correct me if I'm wrong, if you sign a contract at the time you're signing it, you've taken whatever steps you think are appropriate to determine whether to sign a contract?

A. That's correct, but there was an extension situation that we never agreed to.

Q. I'm going to show you what's been marked as Exhibit 2.

(Witness perusing document.)

Q. Are you familiar with that document?

1

2           A.     Well, I'm not familiar with  
3 it, but did I sign it?  Yes.

4

5           Q.     As you sit here now and you  
6 look at it, take as much time as you  
7 want, do you have any recollection as  
8 to why you signed this contract?

8

9           A.     It was recommended to me by  
10 somebody at the time and I will -- and  
11 I did sign it.

11

12           Q.     And you have no recollection  
13 as you sit here now who recommended it  
14 to you?

14

15           A.     No, I don't.

15

16           Q.     You see here that in the  
17 first paragraph --

17

18           A.     By the way, this is an  
19 extension of a memorandum of  
20 understanding, not really a contract.  
21 It's a memorandum of understanding,  
22 which is what I do remember -- we  
23 didn't have a deal.  We had a  
24 memorandum of understanding, and we  
25 were never able to sign the deal.  The  
deal itself, we were unable to sign it.

1

2 We had a memorandum, we had an  
3 understanding -- exactly what it says,  
4 memorandum of understanding. That's  
5 not a contract.

6 Q. Well, you say you were never  
7 able to -- how did you put it -- you  
8 were never able to get a deal signed?

9 A. George Ross was never able to  
10 make a final deal. That's what he told  
11 me then, and that's what he told me  
12 recently. He was never able to get a  
13 final deal signed. We had a memorandum  
14 of understanding, but he was never able  
15 to get a final deal signed. He was  
16 never able to come to a conclusion, and  
17 that's why we stopped paying.

18 We paid as gentlemen, you  
19 could say, we paid -- maybe we paid  
20 mistakenly or maybe we paid as  
21 gentlemen, but we were paying, but  
22 ultimately, when we were unable to make  
23 a deal, we stopped paying.

24 Q. That's based upon what George  
25 Ross has told you, correct?



1

2 A. Well, it's also based upon my  
3 knowledge.

4

Q. So let's talk about your  
5 knowledge.

6

A. Okay.

7

Q. What efforts did you make, as  
8 you understand it as you sit here  
9 today, as you recollect, what efforts  
10 did you make to get a deal signed with  
11 ALM?

12

A. Well, I was told by George  
13 Ross, because we're getting now into  
14 the much more modern times, not just a  
15 long time ago, signed memorandum of  
16 understanding, that they were not doing  
17 a good job.

18

I was told by somebody --  
19 they had somebody, maybe his name was  
20 Jeff whatever, who was very good; and  
21 he left the company and we were not  
22 happy about that. And I remember that  
23 from a long time ago.

24

But I was told by George that  
25 we were unable to get a final contract

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signed with -- with these people.

Q. Did you ask him why?

A. I don't know why. He was in charge --

Q. Did you ask him why?

A. No, he was in charge. He was unable to make a deal.

We have a memorandum of understanding which is -- often happens where you have a memorandum of understanding, but you're unable to make a deal after a memorandum of understanding is signed because a deal transaction is much more complex and much more detailed.

Q. So as you sit here now, do you recollect him telling you any reason why a deal could not be --

A. He said --

Q. -- according to him?

A. He said he was unable to make a deal, a final deal.

Q. And you never asked him why?

A. No, I didn't. I have many,

1

2 many, many deals, as you possibly have  
3 heard, and I didn't ask him why, but he  
4 told me recently, actually, because I  
5 asked him and he was telling me  
6 recently he was unable to make a deal.

7 Q. "Recently," what does that  
8 mean?

9 A. As I told you, I talked --

10 Q. Last couple of weeks?

11 A. Yes.

12 He was unable to make a deal.

13 He was unable to make a deal, to sign

14 --

15 Q. Recently, a recent deal?

16 A. No, not a recent deal.

17 He said when this was done,  
18 they were unable to take the memorandum  
19 of understanding and put it into a  
20 final contract (indicating).

21 MR. ITKOWITZ: Let's have

22 3-A.

23 Q. Now, are you familiar with

24 3-A?

25 A. Yes.

1

2 Q. This is an agreement that you  
3 signed? You might turn to the last  
4 page.

5 A. Yes.

6 Q. This is the original PVH  
7 deal?

8 A. That's correct.

9 Q. Do you recall, as you sit  
10 here now, why you made a deal with PVH?

11 A. Well, PVH wanted to make that  
12 deal with us.

13 Q. Why did you want to make a  
14 deal with them?

15 A. Well, I don't know. It's a  
16 long time ago. You're talking about  
17 eight years ago. It's a long time ago.

18 Q. So you have no memory?

19 A. No, but PVH wanted to make a  
20 deal with us. I remember that.

21 Q. My question to you is, why  
22 did you want to make a deal with PVH?

23 A. They're a shirt company. We  
24 had other people we were negotiating  
25 with. They were a fine company and we

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had other people --

Q. Would it be fair to state that you made a deal with PVH because you thought it would be profitable for you to make a deal with PVH?

A. Yes.

Q. The signature on this document is your signature?

A. Yes.

Q. How did it come about that you signed this document?

MR. GOLDMAN: Object to the form.

You can answer.

A. I'd have to refer this to Cathy Glosser and George Ross.

Q. So as you sit here now, you have no recollection of who recommended this to you, whether it was Cathy Glosser or George Ross, and you have -- as you sit here now --

A. Well, I think the people at PVH wanted to make a deal with us. They were very hot to make a deal with

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us.

Q. That's PVH.

I'm talking about on your  
team's end.

As you sit here now, do you  
have a recollection as to whether  
George Ross or Cathy Glosser or both  
presented this contract to you and said  
we recommend that you sign it?

A. I don't know which one of  
them recommended it.

Q. As you sit here now, you  
don't recollect any conversation you  
had with either one about this  
contract?

A. I remember that PVH very much  
wanted to make a deal with us.

Q. Other than PVH being very  
interested in making this deal, as you  
sit here now, do you have any  
recollection of the details of any  
conversation you had with Cathy Glosser  
about this contract?

A. No, I don't.

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Q. As you sit here now, do you have any recollection of any details of any conversation you may have had with George Ross with respect to the execution of this contract?

A. No, I don't.

MR. ITKOWITZ: Give me 3-B.

Q. When -- I'll ask you a question when you look up.

A. Go ahead.

Q. Do you recall this document?

A. No.

Q. Do you recall why you signed this document?

A. No.

Q. That is your signature; is it not?

A. Yes.

Q. Do you recall who presented this to you?

A. No.

Q. I direct your attention to the cc at the bottom, Miss Cathy Hoffman Glosser?

1

2 A. Yes.

3 Q. Does that refresh your

4 recollection as to whether she

5 recommended that you sign this?

6 A. It was probably her, yes, but

7 I don't remember exactly, but it was

8 probably her.

9 Q. I show you 3-C for

10 identification.

11 (Witness perusing document.)

12 A. Okay.

13 Q. Take a look and tell me if

14 you recognize the document.

15 A. Yes, I do.

16 Q. Is that a document you

17 signed?

18 A. Yes.

19 Q. Do you have any recollection

20 as to why you signed it?

21 A. Probably a recommendation of

22 one of my executives, probably Cathy

23 Glosser.

24 Q. Does the cc on the bottom

25 indicate that it was Cathy Glosser?



1

A. Yes, most likely.

2

3

Q. Well, it can only be Cathy

4

or --

5

A. George or Cathy or both.

6

Q. As you sit here now, you

7

don't recall?

8

A. No.

9

Q. I show you what's been marked

10

as 3-E.

11

A. Okay.

12

Q. Are you familiar with this

13

document?

14

A. Yes.

15

Q. Can you tell me why this

16

document was executed?

17

A. This is our agreement with

18

Phillips Van Heusen Corporation. It's

19

a license agreement between us and

20

Phillips Van Heusen.

21

Q. Do you know who presented

22

this to you?

23

A. Probably George Ross and

24

Cathy Glosser.

25

Q. As you sit here now, you

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don't recall who presented it to you?

A. No.

Q. Your signature is on the end of this contract, correct?

A. Yes. It was not your client that presented it to me. I will tell you that.

MR. ITKOWITZ: I move to

strike that.

Q. Looking at the top of this document, do you see the legend where it says LMJBPVH; do you see that at the top?

A. Yes.

Q. Do you have any idea, as you sit here now, whether your organization prepared this agreement --

A. I don't know.

Q. This license is between Trump Marks Menswear, LLC and Phillips Van Heusen?

MR. GOLDMAN: Is that a question?

A. Yeah.

1

2 Q. Your prior agreements with  
3 PVH, Philip Van Heusen, were in your  
4 name individually?

5 A. I don't know. You'd have to  
6 talk to the lawyers.

7 Q. Do you have any idea why you  
8 changed it from Trump -- Donald J.  
9 Trump to Trump Marks Menswear, LLC?

10 A. No, you have to speak to the  
11 lawyers.

12 Q. You're president of Trump  
13 Marks Menswear, LLC?

14 A. I believe so.

15 Q. You control Trump Marks  
16 Menswear, LLC?

17 A. Yes.

18 Q. Does anybody else own that  
19 company?

20 A. No.

21 Q. Only you?

22 A. Only me.

23 Q. At this time I show you  
24 what's been marked as 4-A.

25 Just to move this along, this

1

2 is a contract between Donald J. Trump  
3 and Marcraft, correct?

4 A. Yes.

5 Q. You signed this contract?

6 A. Yes.

7 Q. Can you tell me, as you sit  
8 here now, do you have any recollection  
9 as to how this contract came about?

10 A. The -- as I remember it, Bo  
11 Dietl is very friendly with the folks  
12 at Marcraft, and they wanted very much  
13 to meet with me and they were -- they  
14 very much wanted to make a deal for  
15 clothing with me and they contacted me  
16 in some form, the Marcraft people  
17 contacted me, and we came to a deal.

18 Had zero to do with your  
19 client, by the way, zero, as I'm sure  
20 you know, but let's go, next question.

21 Q. When was the first contact  
22 that you had with Marcraft, as you  
23 recollect?

24 A. I don't remember.

25 Q. Well, this contract was dated

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September 22 --

A. Sometime prior to that.

Q. Do you know how many months prior to that when the first contact was made?

A. I don't.

Q. As you sit here now, do you recall the details of any contact you had with anybody in connection with the events leading up to the signing of this contract?

A. Yes, I spoke to the Brodys. The Brodys were fans of the brand. They actually were fans of the brand --

Q. When you say you spoke to the Brodys, which Brodys?

A. Senior Brody, and the sons.

Q. Are they friends of yours?

A. In a sense, and they have offices in Trump Tower. They actually moved their offices into Trump Tower.

Q. Was that before or after?

A. No, quite a bit later, but they wanted to do something; and I

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remember them saying that, We were fans of yours even before The Apprentice.

That was the statement that they made. They were saying, We were fans of yours even before the success of The Apprentice, and we signed a deal.

Q. Do you know who negotiated this deal on your behalf?

A. I don't know. It might -- I don't know. I don't think Cathy was with us at the time, but it might have been Cathy Glosser.

Q. As you sit here now, you don't know if it was George Ross --

A. I think it was Cathy, but I'd have to ask her, but I think it was Cathy Glosser.

Q. By the way, who is Jeff McConney?

A. He's an accounting person at the Trump Organization.

Q. What does that mean, "an accounting person"?

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A. He's one of our top accounting people at the Trump Organization.

Q. Who is the top accounting person?

A. Allen Weisselberg, chief financial officer.

Q. And Jeff McConney works for him?

A. Yes.

Q. Tell me a little bit about the approval process for checks in the Trump Organization. How does that work?

A. Well, they get drawn and I sign them; and that's how we found out what was going on here, because we were signing -- I was signing checks and I said, Why are we paying these people, we never made a deal with them, even though we had signed them previously, but I sign literally, in some cases, thousands of checks a week. I sign -- I still use the old-fashioned method

1  
2 and I sign my own checks, but I sign so  
3 many of them over the course of a week  
4 or over the course of a month, that  
5 it's a long, arduous process and it  
6 goes -- takes a long time, but the  
7 checks will be made and they'll be sent  
8 to my office in large stacks to be  
9 signed.

10 Q. When you say it's an arduous  
11 process, what makes the process  
12 arduous?

13 A. Well, because there's so many  
14 of them that I sign each week.

15 Q. So many that your hand gets  
16 tired?

17 A. In some cases it does. In  
18 some cases I'll sign a thousand checks  
19 in a week. More.

20 Q. You have thousands of  
21 employees, you sign many checks every  
22 week, correct?

23 A. Correct.

24 Q. What procedure do you have to  
25 make sure that checks that you're



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signing are authorized by you?

A. Well, I have standard business procedures, but ultimately --

Q. What are those standard business procedures?

A. Ultimately, people will approve checks and they'll be sent to me for signing.

Q. So when you say "people will approve checks" --

A. Various people in various different facets of the corporation, of the overall Trump Organization.

Q. So the people -- how do you decide whether somebody is authorized to approve a check which then winds up on your desk?

A. Usually, it will say okay, or it will be sent in by somebody that's respected by me as an executive --

Q. So let me cut you off for a second.

So before somebody has the right to approve an invoice and have it

1

2 sent to you, there's a vetting process;

3

is there not?

4

A. There's a process, yes.

5

Q. What is the process?

6

A. The process is they'll look

7

at something and they'll say this is

8

okay to send the check in.

9

Q. I understand that will have

10

-- that you -- you, as the head of this

11

company, have an expectation that,

12

correct me if I'm wrong, that anybody

13

who marks an invoice "okay" and sends

14

it on to you has reviewed it and

15

approved it?

16

A. Yes.

17

Q. My question to you is, what

18

vetting process does the person who has

19

the authority in your organization to

20

write "okay" -- what vetting process

21

does that person have to go through

22

before you will invest that person with

23

the trust to review an invoice and

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submit it to you as an approved

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invoice?

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A. What they'll do is they'll use the best of their ability.

Q. I understand that, but what process do you have before you will give somebody that authority to review an invoice for you?

MR. GOLDMAN: I'm going to object, because he's answering the question and I don't think --

MR. ITKOWITZ: No, he's not.

MR. GOLDMAN: No, he is answering the question.

Maybe if you rephrase it instead of using the word "vetting."

He said that he trusts the people who give him -- if you want to know what the practice is, who those people are and how he -- break it down

MR. ITKOWITZ: I'll break it down.

Q. Before somebody has the authority in your organization to

1  
2 submit an invoice to you, you have to  
3 determine that they are entitled to  
4 that authority, correct?

5 A. Correct.

6 Q. What process, general  
7 process, do you employ before you  
8 invest such a person with that kind of  
9 authority?

10 A. Just general respect for the  
11 person over a period of time.

12 Q. So in the internal  
13 organization of your organization, if  
14 somebody gets that respect from you, in  
15 your view, they have the right to  
16 approve an invoice subject to your  
17 final approval?

18 A. Correct, and they can make  
19 mistakes and they do make mistakes and  
20 hopefully I'll catch those mistakes.

21 That's actually what happened  
22 in this case.

23 Q. I show you what's been marked  
24 as 4-B --

25 MR. ITKOWITZ: Move to strike

1

2           that last comment.

3           Q.     Just as a general

4 proposition, I'm just here to ask

5 questions and get answers. I mean

6 you're free -- I guess you're free to

7 make statements, but it should be in

8 response to a question.

9           MR. GOLDMAN: Well, I think

10          you asked that and I don't know if

11          his answer was necessarily

12          inconsistent with his answer

13          previously.

14                   (Witness perusing document.)

15          Q.     This is a renewal of Marcraft

16 contract?

17          A.     Yes.

18          Q.     And you signed it?

19          A.     Yes.

20          Q.     You approved it?

21          A.     Yes.

22          Q.     As you sit here now, do you  
23 have any idea who recommended that you  
24 sign this agreement?

25          A.     I think it was Cathy Glosser

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and George Ross.

Q. You don't know which one or both -- whether it was one or the other or both, as you sit here now?

A. I think it was Cathy Glosser, actually.

Q. I show you 4-C.  
(Witness perusing document.)

A. Okay.

Q. Now, this is an amendment to the previous document; is it not?

A. Correct.

Q. You signed this agreement?

A. Yes.

Q. Do you have any recollection as to how it came about that you signed this?

A. No.

Q. 4-D.

A. Okay.

Q. 4-D was signed by you, too, correct?

A. 4-D was signed by me, yes.

Q. I show you what's been marked

1

2 as 4-E.

3

A. Yes.

4

Q. That was signed by you, too?

5

A. Uh-huh.

6

Q. I show you what's been marked

7

as 4-F.

8

A. Yep.

9

Q. That was signed by you?

10

A. Yes.

11

Q. Now, 4-E, 4-G and 4-F --

12

MR. GOLDMAN: Well, 4-G we

13

haven't seen yet.

14

MR. ITKOWITZ: Excuse me.

15

Q. 4-E --

16

MR. GOLDMAN: 4-D, E and F.

17

Q. 4-D, E and F, as you sit here

18

now, do you recall who recommended

19

those contracts to you?

20

A. I believe it was Cathy

21

Glosser.

22

Q. Now, looking at 4-F, this

23

agreement expired; did it not, the

24

Marcraft deal?

25

A. Yes.

1

2           The most recent one?

3           Q.     Yes.

4           And it expired this past  
5 year?

6           A.     Yes.

7           Q.     Why wasn't it renewed?

8           A.     We decided to go to a  
9 different company.10          Q.     What company did you decide  
11 to go to?12          A.     I don't know. Miss Glosser  
13 would know.14                   It's a well-known company. I  
15 don't know the name of it specifically,  
16 but it's a different company, totally  
17 different, unrelated.18          Q.     So were you unhappy with the  
19 Marcraft deal?20                   MR. GOLDMAN: At what point  
21 in time?22                   MR. ITKOWITZ: At any point  
23 in time.24          A.     Not unhappy. We just went to  
25 somebody else.



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Q. Do you have any idea why you went to somebody else?

A. Because we think we can do better.

Q. I show you what's been marked as Exhibit 5.

These are two e-mails on Exhibit 5 -- that make part of Exhibit 5. You're not copied on any of these e-mails.

A. No.

Q. At any time did you ever see any of these e-mails?

(Witness perusing document.)

A. No, I never saw this or the other.

Q. I show you what's been marked as Exhibit 6.

(Witness perusing document.)

Q. Have you ever seen this e-mail before?

A. No.

Q. So, in other words, I'm showing you what's been marked as

1

2 Exhibit 6, this is the first time  
3 you're seeing this document?

4 A. I've never seen it, no.

5 Q. This is an e-mail, Exhibit 6  
6 is the an e-mail from Jeff Danzer to  
7 George Ross and Cathy Glosser.

8 MR. GOLDMAN: Is that a  
9 question?

10 Q. And it states to George, as  
11 you may read in the second paragraph,  
12 As we've agreed, ALM'S fee for any  
13 introduction of a potential licensing  
14 partner to Donald Trump and/or any  
15 other entity associated with Donald  
16 Trump which evolved into a license deal  
17 and any subsequent renewal thereof  
18 shall be 10 percent of all royalties or  
19 other such fees.

20 MR. GOLDMAN: I think he can  
21 read it.

22 MR. ITKOWITZ: Okay.

23 Q. Do you see that?

24 A. Yes.

25 Q. Did Cathy Glosser or George

1

2 Ross ever discuss with you that they  
3 had had an interaction such as this  
4 with Jeff Danzer?

5 A. No, but we never -- this is  
6 subject -- obviously this is subject to  
7 being able to make a deal. We were  
8 never able to take the memorandum of  
9 understanding and turn it into a  
10 contract. That happens oftentimes in  
11 transactions.

12 You have a memorandum of  
13 understanding and it's unable to get a  
14 contract. We were unable to get to a  
15 contract in this case because your  
16 client was unreasonable.

17 Q. Who told you the client was  
18 unreasonable --

19 A. George Ross.

20 Q. When did he use that word?

21 A. A while ago.

22 Q. When you say, "A while  
23 ago" --

24 A. Long time ago. I heard --

25 Q. Are we talking about years,

1

2 months, decades?

3

A. Years, years, and weeks. He  
4 told me a couple of weeks ago when I  
5 told you I discussed it with him and  
6 always felt they were unreasonable.

7

Q. When he said that to you, did  
8 you ask him any detail -- what made  
9 them unreasonable?

10

A. No, I didn't. Well, I didn't  
11 ask him the details.

12

For one thing, you don't have  
13 a termination clause, which I think is  
14 unreasonable. I've never heard of a  
15 contract without a termination clause.  
16 I think that in itself is unreasonable.  
17 I've never heard of a thing like that.

18

But I don't know if that's  
19 what George was referring to, but he  
20 was unable to take a memorandum of  
21 understanding and turn it into a  
22 contract, which often happens in  
23 transactions.

24

Q. When you say, "he was  
25 unable," did he describe to you any

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efforts he had allegedly made to turn  
it into a contract?

A. No, we didn't discuss that.

Q. Ever? Have you ever  
discussed it?

A. We, as a company, whether  
it's George or anybody else, we as a  
company were unable to take a  
memorandum of understanding and turn it  
into a contract.

Q. In terms of your  
conversations with George, whether it  
was yesterday, six months ago or six  
years ago, at any time with respect to  
the PVH contract and ALM'S contract  
with you --

MR. GOLDMAN: You mean --

MR. ITKOWITZ: Withdrawn.

MR. GOLDMAN: You mean ALM'S  
contract? He's not talking about  
PVH.

MR. ITKOWITZ: Withdraw that  
question.

A. Go ahead. Why don't you go

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ahead and speak.

Q. As you sit here today, do you recall any detail at all that George Ross stated to you in which he described how ALM was, quote, unquote, unreasonable?

A. Well, did he describe -- I don't know if I'm allowed to say this because he's my attorney --

MR. GOLDMAN: Go ahead.

A. -- but he did describe the fact -- just one thing, and I've never heard of this, where -- where a deal goes on for ever. Normally, you get paid a fee and you're finished. But this went on forever.

He told me that a long time ago, and I was always very surprised by that. I've never heard of a deal where there's no termination. Maybe that's one of the reasons that it never got put into a contract or why a contract was never signed.

Q. Did he say at any time that

1

2 he tried to negotiate the term of the  
3 agreement with any person on behalf of  
4 ALM?

5

A. He said that he was unable to  
6 make a deal with ALM, as I told you.

7

Q. But did he give you at any  
8 time any detail as to why he was --

9

A. Well, that was one of the  
10 things that I remember him saying to me  
11 a long time ago, that there was no term  
12 in the contract, that there was no end  
13 term.

14

In other words, at a certain  
15 point deals end, a commission ends, a  
16 broker ends, a license -- a person that  
17 sets up a license ends, and these  
18 people wanted it to go on forever.

19

And so Mr. Ross, as I  
20 remember it, mentioned that, but he  
21 said he was unable to make a deal,  
22 meaning he was unable to turn a  
23 memorandum of understanding into a  
24 signed contract, which happens quite a  
25 bit.

1

2 Q. Did he ever tell you that he  
3 had made a counterproposal to ALM with  
4 respect to the term of the deal?

5 A. He told me he was negotiating  
6 like crazy, but he was just unable to  
7 make a deal with them.

8 Q. Did he tell you who he was  
9 negotiating like crazy with?

10 A. No, I didn't discuss that  
11 with him. I assume it was this  
12 gentleman on the other side of the  
13 table (indicating).

14 Q. 7, I show you what's been  
15 marked as Plaintiff's Exhibit 7, and  
16 ask you if you've ever seen that  
17 document?

18 A. No, I have not.

19 MR. ITKOWITZ: Let me have 9.

20 MR. GOLDMAN: 9 or 8?

21 MR. ITKOWITZ: 9.

22 Q. I ask you if you recognize  
23 this document?

24 MR. GOLDMAN: You mean has he  
25 seen it before today?



1

2 MR. ITKOWITZ: No.

3 A. No, I haven't it.

4 Q. This is dated September 13,

5 2004. Do you see that?

6 A. Yes.

7 Q. It says in the second -- in  
8 the third sentence it says, Since we  
9 met a couple of weeks ago, Marcraft has  
10 secured a 30-plus store launch for the  
11 holiday season at Macy's East.

12 Do you see that?

13 A. Yes.

14 Q. Do you have any idea, as you  
15 sit here today, how much lead time  
16 Marcraft needed to make a 30-store --  
17 30-plus store launch for the holiday  
18 season in 2004?

19 A. No, no.

20 Q. As you sit here now, do you  
21 have any idea as to how long it takes  
22 to put together a clothing line?

23 A. No.

24 Q. And to go out and sell it?

25 A. I assume different companies

1  
2 different times. I'm sure that some  
3 can do it very quickly and some --

4 Q. What would you consider to be  
5 very quick?

6 A. I don't know. I have no  
7 idea. But certain companies would do  
8 it quicker than others.

9 MR. ITKOWITZ: Let me have  
10 12.

11 (Witness perusing document.)

12 Q. I show you what's been marked  
13 as Plaintiff's 12 and ask you if you're  
14 familiar with that document?

15 A. I haven't seen it, no. It  
16 speaks for itself, but I haven't seen  
17 it.

18 Q. At this time I show you 13.

19 (Witness perusing document.)

20 A. Okay.

21 Q. Have you ever seen this  
22 document?

23 A. No.

24 Q. Now, in this document, as you  
25 look at page 2 which is actually 2937,

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there's a note here from Cathy Glosser  
to Jeff Danzer, and she says --

MR. GOLDMAN: Where are you,  
top, bottom?

MR. ITKOWITZ: The top.

Q. It says, Could you please  
send me a copy of the ALM-Trump  
executed agreement. I do not have any  
record in my files.

Do you see that?

A. Yes.

Q. That's dated July 26, 2005?

A. Right. She's talking about  
the memorandum of understanding, I  
guess.

Q. Do you have a practice or a  
procedure as to who would have had to  
have approved payment to ALM in  
connection with this contract?

A. Probably Cathy or George  
Ross.

Q. And they would have brought  
it in to you?

A. They would have brought to

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me, yes.

MR. GOLDMAN: I'm sorry,

brought the check?

Q. They would have brought the check to you?

A. Correct.

Q. And they would have had the authority to bring the check to you?

A. They would have had the authority, and they can prior to the signing of a document that they thought they were going to sign.

In this case we thought we were going to sign based on a memorandum of understanding, so we made payments for a fairly extended period of time, but ultimately we weren't able to sign an agreement and we stopped making the payments.

MR. GOLDMAN: For the record,

I believe your question, did they bring the check in, and I think Mr. Trump had previously testified the checks come in in stacks.

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They don't bring them one at a time.

A. They come in stacks, large stacks.

MR. GOLDMAN: It's not George brings in a check and says, Sign this, thank you very much.

MR. ITKOWITZ: Thank you for the clarification.

Q. Let's look at the top of this document.

MR. GOLDMAN: Top of page 1?

MR. ITKOWITZ: Yes.

Q. There's a statement here, Dear Cathy, this is Jeff Danzer writing, it says, Mr. Trump, that ALM continue its efforts past June 30, 2004 at a reduced rate of 10 percent for any licensing deal originated by ALM.

Do you see that?

A. Yes.

Q. Do you recall having such a conversation?

A. No.

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Q. Do you recall any conversation with anybody in your organization regarding the continuation of ALM'S efforts to reach a contract with PVH?

MR. GOLDMAN: Just one second.

The "conversation" was in the sentence. So we're clear, a "conversation," that presumes Jeff had the conversation.

Your question now is about internal?

MR. ITKOWITZ: Yes.

MR. GOLDMAN: Okay.

A. No.

Q. So, in June of 2004, you knew you had a memorandum of understanding with PVH, correct?

A. Correct.

Q. Were you aware that it was expiring?

A. I wasn't aware, no. I mean perhaps I was aware at the time.

1  
2 You're asking me was I aware eight  
3 years ago about a memorandum of  
4 understanding --

5 Q. As you sit here now, you  
6 don't have a recollection?

7 A. I don't remember.

8 Q. You have no documents in your  
9 office that could refresh your  
10 recollection as to this?

11 A. No.

12 Q. Do you recall what the  
13 percentage agreement originally was  
14 supposed to be for ALM?

15 A. No, I don't. I recall that  
16 they had a very good man that we really  
17 liked a lot, and he was either let go  
18 or left; and they had a very bad truck  
19 record or no track record, but he was  
20 great and he was let go, and that's  
21 when I didn't really like ALM any  
22 longer.

23 I don't know his name at this  
24 time, because it was so many years ago.

25 Q. Was that Jeff Danzer?

1

2           A.     No.  I don't know the  
3 gentleman that worked for him or with  
4 him (indicating).

5                   MR. ITKOWITZ:  Let the record  
6           reflect that when he says "him"  
7           he's talking about Mike Hager.

8           A.     They had a very good man who  
9           worked for them, and when he was either  
10          let go or left, I never felt good about  
11          the company after that, so I never had  
12          a great feeling about the company.  
13          That was the one that we were dealing  
14          with.

15          Q.     And the one you were dealing  
16          with is the person that brought PVH to  
17          the table?

18          A.     I don't know what happened,  
19          but I know we liked him and all of a  
20          sudden he was gone.

21          Q.     But you liked him because he  
22          brought PVH?

23          A.     I didn't say that.  We liked  
24          him.  My people liked him.  Everybody  
25          liked him.  And all of a sudden he was



1

2 fired or something, and we didn't like  
3 that. We didn't like that at all, and  
4 that's -- and that had a big impact for  
5 me with respect to this company. I  
6 didn't like what they did to him and we  
7 did like it at the time.

8 Q. What details do you recollect  
9 about what they did to this person  
10 who --

11 A. I don't recollect other than  
12 my people -- I liked him and then he  
13 was gone, all of a sudden, and we  
14 wanted them to get him back.

15 I remember we wanted him --  
16 and he made some very nasty statements  
17 about this gentleman (indicating), and  
18 we wanted -- we wanted him to come back  
19 and it -- it had a big negative impact  
20 on our feelings towards this company.

21 Q. What recollection do you  
22 have, as you sit here now, as to how  
23 this person left ALM?

24 A. I just heard he was fired.

25 Q. Do you recall who told you

1

2 that he was fired?

3

A. No. I think it was one of my  
4 people, but I heard he was fired and  
5 not fired nicely and we didn't like it;  
6 especially since, as I remember, he had  
7 a good track record and the company had  
8 no track record, so we were not happy.

9

Q. What does "not fired nicely"  
10 mean?

11

A. Well, I heard he was fired.  
12 What can I tell you? I heard there was  
13 a lot of bad blood between Hager and  
14 him and the -- the company and him.

15

(Witness conferred with  
16 counsel off the record.)

17

THE WITNESS: We should get  
18 him to testify.

19

MR. GOLDMAN: We'll talk

20

later.

21

Q. Let's go to Plaintiff's 14.

22

Have you ever seen this  
23 document?

24

A. No, not that I know of. No,  
25 I have not.

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2

MR. ITKOWITZ: Let me have

3

Plaintiff's 15.

4

Q. Are you familiar with this

5

document?

6

A. No.

7

Q. Looking at the e-mail -- it's

8

really the second e-mail on that

9

document -- I would appreciate you

10

keeping your eye on it for a second.

11

There's an e-mail close to the top

12

where Cathy Glosser is writing to Jeff

13

Danzer.

14

As you sit here now, you

15

don't remember if Jeff Danzer is the

16

guy you liked?

17

A. No.

18

Q. Cathy is writing to him and

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she says, Jeff, George is drafting

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something. I don't know what his

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timing is, but I will get something to

22

you as soon as I get it.

23

That's dated September 7,

24

2005?

25

A. Yeah.

1

2 Q. To your knowledge, did George  
3 ever draft anything?

4 A. I don't know. He was unable  
5 to make a deal. He was unable to turn  
6 the memorandum into a contract.

7 He's a very hard-working man,  
8 he's a very good lawyer.

9 Q. Let me ask you something  
10 about George, George Ross.

11 A. Yeah.

12 Q. He's a transactional  
13 attorney?

14 A. Correct.

15 Q. He's done many transactions  
16 for you?

17 A. Yes.

18 Q. Numerous transactions,  
19 correct?

20 A. Uh-huh.

21 Q. When George Ross wants to get  
22 a contract drafted, does he have any  
23 difficulty doing it?

24 A. Sure.

25 Q. He has difficulty drafting a

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contract?

A. No, not drafting. He has difficulty sometimes with the other side.

Q. I'm not talking about getting it signed.

A. In this case he was unable to get a contract done.

Q. We're now talking about his ability to get a contract drafted.

A. Just the opposite. He's very good at getting contracts done, but he was unable to get a contract done with your client because your client was unreasonable, I assume.

Q. Does your experience with George Ross, I think you said 35 years --

A. Long time.

Q. -- does George Ross have any difficulty preparing a draft contract? Yes or no?

A. Depends whether or not he comes to an agreement with the other

1  
2 side. He's not going to draft a  
3 contract unless he has the concept of  
4 an agreement via phone or in some  
5 meeting or whatever with the other  
6 side.

7 Q. Does he have any problems  
8 drafting a proposal?

9 A. He wouldn't have a problem,  
10 but he may not have been able, and  
11 probably this is the case, that he was  
12 not able to make a deal that he felt  
13 was worthy of drafting.

14 Q. Mr. Trump, you understand  
15 that I'm not -- sitting here asking you  
16 questions, I'm not asking you to  
17 speculate. I'm asking what you know.

18 A. Okay, fine.

19 Q. I'm asking, in your  
20 experience, if you asked George to  
21 draft a proposed agreement, does he  
22 have, in your experience, any  
23 difficulty getting a draft agreement  
24 prepared?

25 MR. GOLDMAN: I'm going to

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object to the form.

You've asked it three times.

MR. ITKOWITZ: I haven't  
gotten an answer.

MR. GOLDMAN: No, what you're  
asking is can he physically put  
paper together? Yes.

The witness is telling you  
you need the terms first before you  
put it together, and he didn't --

MR. ITKOWITZ: That's an  
assumption.

MR. GOLDMAN: That's not his  
assumption. That's -- so you're --

Q. Does George Ross have -- you  
know some people in life I'm sure  
you've come across have difficulty  
putting pen to paper, not that anybody  
puts pen to paper anymore.

A. No, he has no difficulty  
doing it.

Q. He has no difficulty writing  
a draft, correct? No difficulty  
expressing himself in writing?

1

2 A. No difficulty whatsoever.

3 Q. Whatsoever?

4 A. Right.

5 Again, under the assumption

6 -- excuse me, that's under the

7 assumption that he has the confines of

8 a deal.

9 Q. I understand.

10 On September 7, 2005, Cathy

11 Glosser was writing Jeff Danzer.

12 Jeff Danzer worked for Mr.

13 Hager, correct?

14 A. Fine.

15 Q. She's writing, George is

16 drafting something. I don't know what

17 his timing is, but I will get something

18 to you as soon as I get it.

19 A. Fine.

20 Q. In your experience, assuming

21 Cathy Glosser was being accurate,

22 George would have no trouble drafting

23 something?

24 MR. GOLDMAN: I'm going to

25 object.



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2

You keep on asking the same

3

question. You could have asked

4

Cathy this and George this.

5

MR. ITKOWITZ: Sometimes you

6

just want a view from the top.

7

Let me have 17.

8

Q. Have you ever seen this

9

e-mail?

10

A. Not that I know of, no.

11

Q. Who is Jennifer Favre?

12

A. I assume she worked for Cathy

13

Glosser.

14

Q. You don't have a recollection

15

as to who she was?

16

A. No, I don't know.

17

Q. Let's skip ahead.

18

MR. ITKOWITZ: Let me have

19

Exhibit 20.

20

Q. Just to make this a little

21

easier or quicker, Exhibit 20 is series

22

of invoices from ALM?

23

A. Uh-huh.

24

Q. Do you see those?

25

A. Yes.

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2 Q. In terms of your approval  
3 process, you sign thousands of checks a  
4 week?

5 A. Right.

6 Q. When a check comes to you, it  
7 has an okay from somebody from one of  
8 your departments, correct?

9 A. Right.

10 Q. Does the check come with an  
11 invoice, a copy of the invoice?

12 A. Yes.

13 Q. Does it come with any  
14 back-up?

15 A. Sometimes, depending, but an  
16 invoice, generally.

17 Q. So it's generally just an  
18 invoice with an okay?

19 A. Correct.

20 Q. Plus the check?

21 A. Correct.

22 Q. Now, when you go through  
23 checks on a regular basis, do you ever  
24 question a check?

25 A. Sometimes, but -- well, I did

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2 in this case but it took me -- a lot of  
3 them got through. But I did in this  
4 case, because I knew we were never able  
5 to make a deal.

6 In good faith I assumed they  
7 were making these payments -- they  
8 shouldn't have made the payments, and  
9 I'm asking my lawyers to get the money  
10 back; but in good faith they were  
11 making the payments for a deal that  
12 never got completed and that's -- by  
13 the way, that's why we stopped paying  
14 them, because as I'm signing checks,  
15 I'm saying why are we doing this when  
16 we don't have a deal with these people  
17 and we were unable to make a deal with  
18 these people; and my people made a  
19 mistake and they found out I was right.

20 It's very simple.

21 Q. In the regular course of  
22 business, you get a check with an okay  
23 from somebody who works for you.

24 A. Correct.

25 Q. And you get an invoice.

1

2 A. Right.

3 Q. In the ordinary course, and  
4 I'm not talking about this case, if you  
5 have a question about a particular  
6 invoice before you sign it, what's your  
7 procedure for going about handling  
8 that?

9 A. Well, again, I have literally  
10 sometimes thousands of checks, during a  
11 month, thousands. I have checks coming  
12 in in piles that are a foot high  
13 sometimes. So I don't get to review or  
14 look at them the way I would like to.  
15 Sometimes I pull one out. And that's  
16 what happened here. And I said why are  
17 we paying them.

18 Unfortunately, some checks  
19 got through. It was either simply a  
20 mistake and we assumed that a deal --  
21 we were hoping and assuming that a deal  
22 was going to go through, and in good  
23 faith they approved it.

24 You have to ask Jeff or  
25 whoever approved it. But we were never

1  
2 able -- that's why I stopped payment --  
3 that's why I stopped the check; we  
4 never were able to take that memorandum  
5 of understanding and turn it into a  
6 contract, and that's how I found out  
7 about this, by signing checks. If I  
8 didn't sign my own checks, I wouldn't  
9 have found out about it.

10 Q. Let's look at the first  
11 invoice, page one, of this exhibit.  
12 This is the first commission check,  
13 correct?

14 A. Yes.

15 Q. The name at the top is the  
16 Trump Organization, Attention: Cathy  
17 Glosser?

18 A. Yes.

19 Q. Before this check got signed,  
20 it would have had to have been  
21 approved, correct?

22 A. Right.

23 Q. Would that have been approved  
24 by Cathy Glosser?

25 A. I don't know. I would think

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so.

Q. At this particular point, in August of 2005, who was in charge of licensing?

A. I believe it was Cathy.

Q. Was George her supervisor at that time?

A. No, not a supervisor, but he was an attorney.

Q. He had no authority over her?

A. Well, he was working on your contract.

Q. Did he have any authority over Cathy Glosser in August of 2005?

A. I wouldn't use the word "authority," but perhaps. He was an attorney.

Q. Well, who had a closer relationship with you, George or Cathy?

A. Both, equal.

Q. Equal at that time?

A. Yeah, pretty much.

Q. Let's look at the second invoice here. It has a received date.

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Do you have any idea who put that received date on? Would that be your organization?

A. Where is the received date?

Q. At the bottom.

MR. GOLDMAN: It's a stamp.

A. Yes, that would be our organization, we received it.

Q. Looking at the third page of this exhibit which is 1821. In the lower right-hand corner, there's an initial next to the number. Do you know whose initial that is?

A. No, I don't.

Q. Would that have been somebody from your organization?

A. I don't know.

Q. There's a checkmark next to the total due.

Do you have any idea who would have made that checkmark?

A. No, I don't.

Q. Let's look at the next one which is 1734. There's a checkmark

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there.

Do you have any understanding  
who made that checkmark?

A. No.

Q. Let's look at the next one  
after that which is 1731. This is an  
invoice dated 8/8/06.

A. Right.

Q. There's a stamp on it which  
says, accounts payable.

Do you see that stamp?

A. Yes.

Q. What procedure does this  
stamp indicate to you that your  
organization had at that time?

A. I don't know. I don't see  
that. I mean I see it on this one, but  
-- it was sent to accounts payable.

Q. Accounts payable --

A. Looks like it was sent by  
Cathy Glosser.

Q. So you have an accounts  
payable department?

A. Yes, we did.



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2 Q. How many people work in at  
3 that department?

4 A. A number. I don't know.  
5 Three.

6 Q. There's something called a  
7 voucher number. Do you know what that  
8 is?

9 A. No.

10 Q. The indication says by DJT.  
11 Who is that?

12 A. That's me.

13 Q. Do you know how somebody  
14 wrote your initials there?

15 A. That I would have to sign the  
16 check. I assume that's what they mean.

17 Q. So that indicates somebody  
18 else in your organization is indicating  
19 that you have to sign the check?

20 A. Yes.

21 Q. Are there checks issued by  
22 your organization that you don't sign?

23 A. No.

24 Q. So every single check by your  
25 organization gets signed by you?

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2           A.     I think it's -- unless it's a  
3 very small amount, I give somebody else  
4 the right to sign checks, but for the  
5 most part every check is signed by me.

6           Q.     There's something that says  
7 58001. Do you know what that is?

8           A.     No.

9           Q.     Let's go to the next document  
10 which is 1728. It says -- there's a  
11 note here, Debra, please give me the  
12 check when ready.

13                     Do you see that?

14           A.     Yes.

15           Q.     Do you know who wrote that  
16 note?

17                     THE WITNESS: Where is that?

18                     MR. GOLDMAN: Next page.

19           A.     I don't know who that is.

20           Q.     Handwritten it says, ACE  
21 580001.

22                     Do you know what that means?

23           A.     No.

24           Q.     There's something that says,  
25 10 percent commission, third quarter

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2006, PVH; do you know who put that there?

A. No.

Q. Do you know whose initials are there next to the amount?

A. No.

Q. Does that indicate to you that it's an internal procedure, that somebody approved this amount before it came to you?

A. It would seem to be, incorrectly, they approved it, but they approved it.

Q. Let's go to the next one.

MR. GOLDMAN: What number?

Q. Which is 1797.

You see on the bottom, looks like Cathy Glosser?

A. Yes.

Q. Is that signed by Cathy Glosser?

A. Yes.

Q. Is that the date that she signed it?

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2 A. Yes.

3 Q. Who wrote those initials,

4 DJT?

5 A. I don't know. I don't know.

6 Not my writing.

7 Q. So this particular invoice

8 actually shows that she specifically

9 approved this invoice, correct?

10 A. Well, her name is on it.

11 Q. Well, isn't that her

12 signature?

13 A. I don't know that she

14 approved it, but her name is on it.

15 Q. What does her signature on

16 the invoice mean?

17 A. I don't know, but her name is

18 on it.

19 Q. Let's look at the next one,

20 1725. There's a notation that says,

21 Return check to me when cut. Thanks,

22 Donna.

23 A. Yes.

24 Q. Who is Donna?

25 A. I think she works for Cathy

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Glosser.

Q. Is this indicating that Cathy Glosser was sending out these checks --

A. It indicates to me that Cathy either made a mistake or she thought that a deal would be transferred into a contract, one or the other.

Q. Let's go to Exhibit 21.

Look at the first page.

A. Yep.

Q. Does that bear your signature?

A. Yes.

Q. So this indicates that you signed the first commission check to ALM, correct?

A. Correct.

Q. Before signing that -- that would have been the first commission check, correct?

A. Correct.

Q. At the time that you signed this, did you know who ALM International was?

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A. No, I didn't. If I did, I wouldn't have signed it.

Again, I sign so many checks a week. Had I known this was ALM, I would not have signed it, because I knew we didn't have a contract with them.

Q. But when it was presented to you for signature, you can clearly see that it was a check made out to ALM --

A. But I didn't know that ALM was this group. If I knew what ALM was, I wouldn't have been signing it.

Q. Let's go back to Exhibit 20, the first page of Exhibit 20. Let's see if we can put the two documents together. 20 and 21. Let's put 20 and 21 together.

You see the first page of each document?

A. Right.

Q. The first page of Exhibit 20 is an invoice --

A. Right.

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2 Q. -- from ALM --

3 A. Yeah, it says the same thing.

4 Q. But it says, Total royalties

5 to Trump from PVH deal?

6 A. I really don't -- again --

7 Q. Do you see that?

8 A. Yes.

9 Q. What I'm asking you, sir, is  
10 when you would have signed this check,  
11 which is in Exhibit 21, the first  
12 check, which is --

13 MR. GOLDMAN: We know what it  
14 says. He has it in front of him.

15 MR. ITKOWITZ: Excuse me.  
16 Let me ask my question, with all  
17 due respect.

18 Q. You see the check --

19 A. Right.

20 Q. And you see the invoice which  
21 is the first invoice which is for  
22 \$6,370.74?

23 A. Right.

24 Q. When you signed this first  
25 check, is it not a fact that you would

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have had the invoice attached to the check?

A. Possibly I did, but the checks covered the invoice; and I have thousands of checks that I sign a week and I don't look at very many of the checks; and eventually I did look, and when I saw them, I stopped paying them because I knew it was a mistake, or somebody made a mistake. I mean pure and simple.

But when I looked at ALM, I signed it because it's put in front of me, because there's a process; but I don't generally look at the invoice because I sign thousands of checks, literally thousands of checks a week.

Q. But the invoice was there with the check to look at?

MR. GOLDMAN: Objection.

You've asked that three times and he said yes, so let's move on.

Q. As you can see in all the invoices in Exhibit 20 -- all the



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invoices have --

MR. ITKOWITZ: Withdrawn.

Q. Would it be fair to state that in the regular course of Business all the invoices in Exhibit 20 would have been attached to the respective checks which are in Exhibit 21 --

A. Generally, yes.

Q. At the time that you would have signed the checks?

A. Yes.

Q. So it's fair to say that at the time you signed all of these checks, which are in Exhibit 21, you had the opportunity to look at the invoices right then and there when you were signing the checks, correct?

A. As I told you, the check covers the entire invoice and I don't check -- very rarely do I go into the invoices, because the check is not a normal-size check. They're long papers and they cover the invoices. I sign

1  
2 thousands of checks, literally  
3 thousands of checks a week or a month.  
4 I don't have time to go over --  
5 eventually I did see what was going on  
6 here and I did catch it.  
7 Unfortunately, a number of checks had  
8 already been sent out.

9 Q. A number of checks over a  
10 number of years?

11 A. Over a long period of time,  
12 yeah. That's one of the reasons I sign  
13 the check.

14 Unfortunately, I didn't know  
15 what ALM was. I assumed it was  
16 something that was fine. Had I known  
17 it was for the licensing, I would have  
18 stopped at check one.

19 Q. Let me ask you something:  
20 You have a big company, you have a  
21 reputation. There are many companies,  
22 large companies, even smaller than your  
23 company, where the owner of the company  
24 doesn't sign the checks, where the CFO  
25 signs the checks, somebody else signs

1

2 the checks. Why is it that you sign  
3 the checks?

4 A. Because of reasons such as  
5 this. I mean it took me a few checks  
6 or six checks or whatever the number is  
7 here to figure it out, but I like to be  
8 able to see what I'm signing. I like  
9 to be able to watch the -- the problem  
10 that I have is the company is so large  
11 now that I sign so many checks that I  
12 cannot give them the kind of scrutiny  
13 that I'd like to be able to give. I  
14 mean I sign -- when you sign thousands  
15 and thousands of checks a month,  
16 literally, you can't give something the  
17 kind of scrutiny that you'd like. But  
18 eventually I did see this situation and  
19 I was able to stop it.

20 Q. Can you think of any other  
21 instance where your personal review of  
22 the checks caused you to stop signing,  
23 to cancel a contract or to stop paying  
24 somebody you were previously paying?

25 A. There are many times I will

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2 send a check back to our controller,  
3 say I'm not going to pay this because I  
4 didn't think the work was done  
5 properly, or I'm not going to pay for  
6 something else, or I'm not going to pay  
7 it because the price is too high.

8 Yes, many times.

9 Q. So the purpose of your  
10 reviewing the checks is so that you're  
11 the final safeguard before the money  
12 goes out the door, right?

13 A. That is correct.

14 Q. That's why you sign the  
15 checks?

16 A. That's right.

17 Q. That's why you have the  
18 invoices attached to the checks?

19 MR. GOLDMAN: Objection.

20 You've asked that three  
21 different times.

22 You don't need to answer it a  
23 fourth time, especially when we're  
24 talking about 11 checks over  
25 thousands and thousands and

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thousands of checks.

(Discussion off the record.)

BY MR. ITKOWITZ:

Q. Tell me about this -- tell me about -- what precipitated your awareness that you were paying ALM, that -- do you have a recollection --

A. That I was paying?

Q. You're sitting around, you're signing thousands of invoices. How did it come about that a light went on the last time you were asked to sign one of the checks?

A. A check was presented to me, as these checks were, but they got through, and I said, What is ALM? What is it? I'm trying to --

Q. Was anybody in the room with you?

A. No, I just said it to myself. I then looked and I actually opened the invoice which is behind this large check, because it's a check, but it's also the documents of the check so

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2 it covers the invoices. You don't see  
3 the invoices unless you flip through  
4 them, which is hard to do when you have  
5 thousands of pages in front of you.

6 So I said what is this, and I  
7 looked and I saw it was licensing; and  
8 I had heard we were unable to make a  
9 deal on licensing. So I called -- I  
10 think it was George or Cathy or  
11 somebody. I said, What's going on? I  
12 said, Why are we paying these people?  
13 We were unable to make a deal. They  
14 lost their best guy. They didn't do  
15 the job and I had just heard we were  
16 unable to make a deal with them. So I  
17 said, Why are we doing this?

18 And I canceled the check and  
19 hence we have the litigation.

20 Q. Did you have any  
21 conversations with anybody from ALM  
22 about this?

23 A. I met with him six months  
24 ago, but other than that --

25 Q. That was well after the

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lawsuit?

A. No, that's it.

Q. After you stopped paying --

A. I don't think so, no, because George Ross told me he was unable to make a deal. He was unable to sign a contract with these people and they were paying -- they were paying based on a memorandum of understanding, which, frankly, they shouldn't have been, but I was able to catch it by signing checks. They shouldn't have done it based on a memorandum of understanding.

Q. Prior to accounting setting up a vendor number, isn't there a procedure in your company before a vendor number gets set up?

A. Probably Cathy approved it based on a memorandum of understanding, and she made a mistake, but she approved it based on a memorandum of understanding.

If you were to ask me how

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2 that happened, Cathy Glosser, who is a  
3 fine woman, approved it based on a  
4 memorandum of understanding because she  
5 probably thought maybe that we were  
6 going to ultimately get to contract, so  
7 we'll go ahead in good faith and  
8 approve it early.

9 We were unable to sign a  
10 contract because your client was  
11 unreasonable. We were unable to get to  
12 a contract.

13 Q. Now, in terms of your  
14 accounting department, before a first  
15 invoice gets approved on a contract,  
16 wouldn't they have to have certain  
17 documents?

18 A. Probably Cathy approved it.

19 Q. So, in other words, Cathy  
20 approving it to accounting is enough to  
21 get the vendor number --

22 A. I would say yes.

23 Q. -- vendor process approved in  
24 your accounts payable department?

25 A. That's right.



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Q. That would be sufficient --  
Cathy's approval would be sufficient to  
get Jeff McConney to approve checks to  
ALM?

A. Yes.

Q. I show you what's been marked  
as Exhibit 22.

Have you ever seen that  
document?

A. No, I haven't. I may have  
seen it at the time, but I haven't -- I  
can't recognize it.

Q. To your understanding, did  
George Ross have the authority to sign  
this letter on your behalf without even  
showing it to you?

A. He probably showed it to me.  
You're talking about many  
years ago.

Q. I'm not asking whether he  
probably showed it to you. I'm asking  
-- did he have the authority in April  
of 2004, did George Ross have your  
authority to sign this letter on your

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behalf?

A. I don't remember.

Q. You don't remember --

A. I don't remember him asking  
for the authority.

Would he have had the  
authority? Yes, but I don't remember  
him asking.

MR. ITKOWITZ: Let me have  
the second document, the one dated  
April 4, '04.

MR. GOLDMAN: It's attached.

Q. Look at the second page.

(Witness perusing document.)

MR. ITKOWITZ: Withdrawn.  
Just withdrawn.

MR. GOLDMAN: Withdrawn?  
Okay. Never mind.

THE WITNESS: It's written to  
Jeff. They got rid of him.

Q. So Jeff was the guy that you  
thought was the --

A. It sounds like it, yes, I  
think so.

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Q. Jeff Danzer?

A. I think so.

Q. That's the person who you were referring to before who you said was unceremoniously fired?

MR. GOLDMAN: I don't think he said unceremoniously but he said not nicely.

Q. Not fired nicely, correct?

A. I believe that's correct.

Q. I show you what's been marked as Exhibit 23.

MR. ITKOWITZ: You're destroying my ability to catch the witness by surprise.

MR. GOLDMAN: Because I cc'd him? That's my job.

Q. Take a minute. Take a look at this document?

(Witness perusing document.)

A. Okay, I've got it.

Q. Have you ever seen this document before?

A. Yes.

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2 Q. Do you recall when you  
3 received it?

4

A. Well, I assume I received it  
5 on the date -- June 8, 2004.

6

Q. Do you recall having any  
7 discussions with George Ross at that  
8 time about the contents of this letter?

9

A. This is where he was leaving  
10 the company, you're talking about?

11

Q. No. This is where he's  
12 complaining that the Trump Organization  
13 was not cooperating with ALM'S  
14 efforts --

15

A. No, I don't. I don't  
16 remember having conversations about  
17 that, no.

18

Q. It also refers to the  
19 industry -- that the Marcrafft deal was  
20 well-known in the industry well before  
21 it was signed.

22

That's what this letter is  
23 saying on June 8, 2004.

24

A. Your client had nothing to do  
25 with Marcrafft.

1

2 Q. I understand that, but I  
3 wasn't asking you that. I was asking  
4 you -- I was going to ask you if in  
5 June of 2004 it was well-known, quote,  
6 unquote, in the industry, that the  
7 Trump Organization or that you were  
8 about to make a deal with Marcrafft?

9 MR. GOLDMAN: Object to the  
10 form of the question, how he knows  
11 what the industry knew.

12 A. I wouldn't know that.

13 Q. Do you have PR people who  
14 work for you?

15 A. Not really, tell you the  
16 truth. It's hard to believe but not  
17 really.

18 Q. You're your best PR person?

19 A. I'm my only PR person, for  
20 better or worse.

21 Q. Do you recall whether ALM had  
22 an exclusive deal with you to --

23 A. No.

24 Q. You don't recall that?

25 A. No.

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Q. Let's go to 24. This is a news article from Newsweek, a copy of it, dated August 16, 2004.

Do you see that?

A. Yeah.

Q. This was announcing or reporting that you were making a deal with Marcraft.

A. Okay.

Q. Did you know about this article at the time that it came out?

A. No.

Q. Did you have any awareness that this article was going to be written before it came out?

A. No.

MR. ITKOWITZ: 25.

A. Well, this article does say -- my attorney points out, this article does state that Mr. Sheldon Brody was talking to me and that's how it happened, we talking to me directly.

Q. I show you what's been marked as Exhibit 25.

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2 A. It's in the article.

3 Q. Not every article is

4 accurate?

5 A. It's true. I'll agree with

6 that.

7 Q. Exhibit 25, do you recall

8 meeting with Bo Dietl and the Marcrafft

9 people on March 3, 2004?

10 A. No, I don't remember.

11 Q. Take a look at this note on

12 the bottom of that exhibit. It says,

13 Mr. T, these were the gentlemen you met

14 with yesterday with Bo Dietl, RG.

15 Who is RG?

16 A. Rhona Graff.

17 Q. Is that a note to you? These

18 were the gentlemen you met with

19 yesterday with Bo Dietl.

20 A. I don't know what it's

21 referring to.

22 Q. If you look at the e-mail,

23 it's an e-mail from Gary Brody --

24 MR. GOLDMAN: Well, it's from

25 Gary Brody but the VTY is Sheldon.

1

2           A.     I guess he's referring to the  
3 Brodys.

4

Q.     Dear Donald, attached is  
5 prospective license agreement for your  
6 review.

7

          Did you receive a proposed  
8 license agreement from Marcraft on --

9

A.     I don't remember it.  It's  
10 possible.  Based on the letter it's  
11 possible.

12

Q.     Based upon the note, does  
13 this refresh your recollection that you  
14 met with them on March 3?

15

A.     No, it doesn't.  It's  
16 possible.

17

Q.     Do you have any recollection  
18 of having met with the Brodys with Bo  
19 Dietl in March?

20

A.     Well, I don't know in March,  
21 but I certainly met with them.

22

          Bo Dietl is the one that set  
23 me up with the Brodys, as I told you  
24 earlier.

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Q.     Do you recall the sum and



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substance of that first conversation  
you had with the Brodys with Bo Dietl?

A. Yes.

Q. What did they say to you?

A. They wanted to do a suit  
collection of Trump suits.

Q. Did they tell you how much  
money they thought they were going to  
make for you?

A. No. I don't know. They  
thought they would be successful.

Q. Was it successful?

A. Not really, no, to be honest  
with you.

Q. But Van Heusen was  
successful?

A. Successful.  
We're now thinking about  
going someplace else. We have  
something else that we're going to do  
because we think it can be more  
successful. But it's successful.

Q. Do you recall having any  
meetings directly with Jeff Danzer?

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2 A. Yes.

3 Q. Do you recall when those

4 meetings were or what the sum and

5 substance --

6 A. No, a long time ago.

7 Q. Do you recall the sum and

8 substance of any of those meetings?

9 A. No, I just remember a

10 meeting.

11 Q. I show you what's been marked

12 as Exhibit 30. Does this refresh your

13 recollection as to whether you met with

14 Jeff Danzer in or about July of '04

15 regarding the PVH contract?

16 A. No, it's possible I did, but

17 I don't remember it.

18 Q. I show you what's been marked

19 as Exhibit 31. Take a look at it and

20 tell me if this refreshes your

21 recollection as to whether you met with

22 George Ross, Cathy Glosser, Jeff

23 Danzer, Mark Weber, Allen Sirkin

24 (phonetic) --

25 A. I think I did.

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Q. -- on August 26, 2004?

A. I think so.

Q. Regarding the PVH deal?

A. Yes.

Q. Do you recall anything that happened at that meeting?

A. No.

MR. ITKOWITZ: I'm going to need a five-minute recess.

MR. GOLDMAN: Great.

(Brief recess taken.)

(Whereupon the deposition concluded at 11:53 a.m.)

\_\_\_\_\_  
DONALD JOHN TRUMP

\_\_\_\_\_  
Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2011

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Notary Public

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I N D E X

WITNESS	EXAMINATION BY	PAGE
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CERTIFICATION

I, TAMMY O'BERG, a Notary Public  
for and within the State of New York,  
do hereby certify:

That the witness whose testimony as  
herein set forth, was duly sworn by me;  
and that the within transcript is a  
true record of the testimony given by  
said witness.

I further certify that I am not  
related to any of the parties to this  
action by blood or marriage, and that I  
am in no way interested in the outcome  
of this matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 28th day of June,  
2011.

\_\_\_\_\_

TAMMY O'BERG

\* \* \*



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[& - alm]

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[alm's - cathy]

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